

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 23A00785
Court File No. 27-CR-23-1886

State of Minnesota,

Plaintiff,

COMPLAINT

Order of Detention

vs.

MATTHEW DAVID GUERTIN DOB: 07/17/1981

10233 34th St W
#304
Minnetonka, MN 55305

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Dangerous Weapons-Reckless Discharge of Firearm Within a Municipality

Minnesota Statute: 609.66.1a(a)(3), with reference to: 609.66.1a(b)(2)

Maximum Sentence: 2 YEARS AND/OR \$5,000

Offense Level: Felony

Offense Date (on or about): 01/21/2023

Control #(ICR#): 23000258

Charge Description: That on or about January 21, 2023, in Hennepin County, Minnesota, MATTHEW DAVID GUERTIN recklessly discharged a firearm within a municipality.

COUNT II

Charge: Firearm-Serial Number-Receive/Possess With No Serial Number

Minnesota Statute: 609.667(3), with reference to: 609.667

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 01/21/2023

Control #(ICR#): 23000258

Charge Description: That on or about January 21, 2023, in Hennepin County, Minnesota, MATTHEW DAVID GUERTIN received or possessed a firearm that was not identified by a serial number: an automatic rifle.

COUNT III

Charge: Firearm-Serial Number-Receive/Possess With No Serial Number

Minnesota Statute: 609.667(3), with reference to: 609.667

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 01/21/2023

Control #(ICR#): 23000258

Charge Description: That on or about January 21, 2023, in Hennepin County, Minnesota, MATTHEW DAVID GUERTIN received or possessed a firearm that was not identified by a serial number: a full-size pistol.

COUNT IV

Charge: Firearm-Serial Number-Receive/Possess With No Serial Number

Minnesota Statute: 609.667(3), with reference to: 609.667

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 01/21/2023

Control #(ICR#): 23000258

Charge Description: That on or about January 21, 2023, in Hennepin County, Minnesota, MATTHEW DAVID GUERTIN received or possessed a firearm that was not identified by a serial number: a compact pistol.

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On January 21, 2023, officers with the Minnetonka Police Department were dispatched to a report of shots being fired from an apartment at 102XX 34th St. W., Minnetonka, Hennepin County, Minnesota.

Upon arriving in the area officers heard shots and were able to confirm where the apartment shots were coming from, and that the occupant of the apartment was MATTHEW DAVID GUERTIN, dob 7/17/1981, "Defendant" herein. Defendant was yelling "I'm going to die because they stole my patent" and repeatedly yelled a Minnetonka Police Department case number. Defendant spoke with a negotiator and after some time threw two firearms out of the window: an automatic rifle and a pistol in a case. Defendant eventually came out of the apartment and was placed under arrest. In a post-Miranda statement Defendant reported that he had fired multiple rounds to get the police to respond to his location, and that he had shot into the sky and trees. Defendant estimated he had fired approximately twenty rounds. Defendant said that he could not communicate via his computer or phone because other people had gained control of his computer and other devices. Defendant also said that he had bought the parts and put together the firearms that he had used.

Officers recovered three firearms from the incident: an automatic rifle, a full-size pistol, and a compact pistol. None of the firearms had serial numbers on them. Officers also recovered additional ammunition and body armor inside Defendant's apartment.

Defendant is currently in custody.

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Samantha Johnson
Police Officer
14600 Minnetonka Boulevard
Minnetonka, MN 55345
Badge: 133

Electronically Signed:
01/24/2023 10:49 AM
Hennepin County, MN

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Erin Goltz
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
01/24/2023 10:23 AM

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☐ **SUMMONS**

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ **WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*

☐ *Execute Nationwide*

☐ *Execute in Border States*

☒ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$50,000.00

Conditions of Release: No use of drugs/alcohol; Make All Appearances; Remain Law Abiding; No Possession of Weapons

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: January 24, 2023.

Judicial Officer

Edward Thomas Wahl
District Court Judge

Electronically Signed: 01/24/2023 11:40 AM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

MATTHEW DAVID GUERTIN

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent:

Name: MATTHEW DAVID GUERTIN
DOB: 07/17/1981
Address: 10233 34th St W
#304
Minnetonka, MN 55305

Alias Names/DOB:
SID: MN00417780
Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race: White
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: Yes
Driver's License #:
SILS Person ID #: 403932
SILS Tracking No. 3316315
Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	1/21/2023	609.66.1a(a)(3) Dangerous Weapons-Reckless Discharge of Firearm Within a Municipality	Felony	W1E40		MN0271200	23000258
	Penalty	1/21/2023	609.66.1a(b)(2) Dangerous Weapons-Other Offenses	Felony	W1E40		MN0271200	23000258
2	Charge	1/21/2023	609.667(3) Firearm-Serial Number-Receive/Possess With No Serial Number	Felony	W1840		MN0271200	23000258
	Penalty	1/21/2023	609.667 Firearms-Removal or Alteration of Serial Number	Felony	W1840		MN0271200	23000258
3	Charge	1/21/2023	609.667(3) Firearm-Serial Number-Receive/Possess With No Serial Number	Felony	W1840		MN0271200	23000258
	Penalty	1/21/2023	609.667 Firearms-Removal or Alteration of Serial Number	Felony	W1840		MN0271200	23000258
4	Charge	1/21/2023	609.667(3) Firearm-Serial Number-Receive/Possess With No Serial Number	Felony	W1840		MN0271200	23000258
	Penalty	1/21/2023	609.667 Firearms-Removal or Alteration of Serial Number	Felony	W1840		MN0271200	23000258